

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1408

Introduced by

Representatives Dahl, R. Kelsch, Kretschmar, S. Meyer

Senators Flakoll, Heitkamp

1 A BILL for an Act to amend and reenact subsection 3 of section 30.1-10-03 of the North Dakota
2 Century Code, relating to the effect of a homicide on probated property.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 30.1-10-03 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 3. The intentional and felonious killing of the decedent:
- 7 a. Revokes any revocable disposition or appointment of property made by the
8 decedent to the killer in a governing instrument, provision in a governing
9 instrument conferring a general or nongeneral power of appointment on the
10 killer, and nomination of the killer in a governing instrument, nominating or
11 appointing the killer to serve in any fiduciary or representative capacity,
12 including a personal representative, executor, trustee, or agent.
- 13 b. ~~Severs~~ voids the interests of the ~~decedent and~~ killer in property held ~~by them~~
14 with the decedent at the time of the killing as joint tenants with the right of
15 survivorship, transforming the interests of the decedent ~~and killer~~ into equal
16 ~~tenancies in common~~ a sole interest in the property.